ORIGINAL

Form 1-1

UNITED STATES COURT OF INTERNATIONAL TRADE

FORM 1

Kuka Flexible Product Systems Corp.
Plaintiff,

v.

UNITED STATES,
Defendant.

FILED WITH THE COURT
09-00529

SUMMONS

TO: The Attorney General and the Secretary of Homeland Security:

PLEASE TAKE NOTICE that a civil action has been commenced pursuant to 28 U.S.C. § 1581(a) to contest denial of the protest specified below (and the protests listed in the attached schedule).

/s/ Tina Potuto Kimble
Clerk of the Court

PROTEST

Port of Entry: Detroit	Date Protest Filed: 05/16/01
Protest Number: 3801-01-100325	Date Protest Denied: 06/15/09
Importer: Kuka Flexible Product Systems Corp.	
Category of Merchandise: Industrial Robots and Controllers	

ENTRIES INVOLVED IN ABOVE PROTEST

Entry Number	Date of Entry	Date of Liquidation	Entry Number	Date of Entry	Date of Liquidation
0054896-4	04/18/00	03/02/01			

Port Director,

Port Director of Customs
U.S. Customs & Border Protection
477 Michigan Avenue, 2nd Floor
Detroit, MI 48226
Address of Customs Port in Which Protest was Denied

Edmund Maciorowski, P.C.
101 West Long Lake Road
Bloomfield Hills, MI 48304
(248) 646-6771
Name, Address and Telephone Number of Plaintiff's Attorney

Form 1-2

CONTESTED ADMINISTRATIVE DECISION

Appraised Value of Merchandise		
	Statutory Basis	Statement of Value
Appraised:		
Protest Claim:		

Classification, Rate or Amount				
	Assessed		Protest Claim	
Merchandise	Paragraph or Item Number	Rate	Paragraph or Item Number	Rate
Industrial Robots, Controllers, and Parts	8537.10.90, HTSUS and/or 8515.90.30, HTSUS	2.7% *ad val.* and/or 1.6% *ad val.*	8515.21.00, HTSUS and/or 8479.90.95, HTSUS	Free of Duty Free of Duty

Other

State Specifically the Decision [as Described in 19 U.S.C. § 1514(a)] and the Protest Claim:

The issue which was common to all such denied protests:

Whether the industrial robots, controllers, parts, equipment and/or accessories are principally used as material handling and/or welding machines or apparatus.

Every denied protest included in this civil action was filed by the same above-named importer, or by an authorized person in the importer's behalf. The category of merchandise specified above was involved in each entry of merchandise included in every such denied protest. The issue or issues stated above were common to all such denied protests. All such protests were filed and denied as prescribed by law. All liquidated duties, charges or exactions have been paid, and were paid at the port of entry unless otherwise shown.

Signature of Plaintiff's Attorney

12/10/09

Date

Form 1-3

3801

SCHEDULE OF PROTESTS

Port of Entry

Protest Number	Date Protest Filed	Date Protest Denied	Entry Number	Date of Entry	Date of Liquidation
01100597	09/07/01	06/15/09	0056447-4	08/08/00	06/22/01
01100447	07/05/01	06/19/09	0055332-9	05/23/00	04/06/01
01100675	10/09/01	06/19/09	0056872-3	09/14/00	07/27/01

Port Director of Customs,

U.S. Customs & Border Protection
477 Michigan Avenue
Detroit, MI 48226

If the port of entry shown above is different from the port of entry shown on the first page of the summons, the address of the Port Director for such different port of entry must be given in the space provided.

(As amended Sept. 30, 2003, eff. Jan. 1, 2004; Nov. 28, 2006, eff. Jan. 1, 2007.)

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OFFICE OF THE CLERK

IN ACCORDANCE WITH THE PROVISIONS
OF RULE 5(e). THIS PAPER IS DEEMED
FILED AS OF THE DATE OF MAILING
TO WIT 12-10-09